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10 ATTORNEYS FOR PUTATIVE REPRESENTATIVE
PLAINTIFF RADIO CITY, INC.
11

12 **UNITED STATES DISTRICT COURT**

13 **NORTHERN DISTRICT OF CALIFORNIA**

14
15 IN RE TELESCOPES ANTITRUST
LITIGATION

16 This Document Relates to:

17 RADIO CITY, INC., and those similarly situated,
18 Plaintiffs,

19 v.

20 CELESTRON ACQUISITION, LLC, SUZHOU
SYNTA OPTICAL TECHNOLOGY CO., LTD.,
SYNTA CANADA INT'L ENTERPRISES
LTD., SW TECHNOLOGY CORP., OLIVON
MANUFACTURING CO. LTD., OLIVON USA,
LLC, NANTONG SCHMIDT OPTO-
ELECTRICAL TECHNOLOGY CO. LTD.,
PACIFIC TELESCOPE CORP., COREY LEE,
DAVID SHEN, SYLVIA SHEN, JACK CHEN,
JEAN SHEN, JOSEPH LUPICA, DAVE
ANDERSON, LAURENCE HUEN, and DOES
1-50,

21
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26
27 Defendants.

28 Case No. 5:20-cv-03639-EJD

Case No. 5:20-cv-03642-EJD

**STIPULATION REGARDING
AMENDED COMPLAINT**

Location:	Courtroom 4 – 5th Fl.
Judge:	Hon. Edward J. Davila
Compl. Filed:	June 1, 2020
First Am.	July 17, 2020
Compl. Filed:	October 19, 2020
Second Am.	
Compl. Filed:	
Trial Date:	None Set

1 Pursuant to Civil Local Rule 6-1(b) and 6-2, Plaintiff Radio City, Inc. and Defendants
 2 Celestron Acquisition, LLC, Suzhou Synta Optical Technology Co., Ltd., Synta Canada Int'l
 3 Enterprises Ltd., SW Technology Corp., Olivon Manufacturing Co. Ltd., Olivon USA, LLC,
 4 Nantong Schmidt Opto-Electrical Technology Co. Ltd., Pacific Telescope Corp., Corey Lee, David
 5 Shen, Sylvia Shen, Jack Chen, Jean Shen, Joseph Lupica, Dave Anderson, and Laurence Huen
 6 ("Defendants"), by and through their respective counsel of record, hereby stipulate as follows:

7 WHEREAS, on June 2, 2021, the Court granted in part and denied in part Defendants'
 8 Motions to Dismiss (ECF No. 173) (the "Court Order");

9 WHEREAS, the Court Order set a June 16, 2021, deadline for Plaintiff to file an amended
 10 complaint;

11 WHEREAS, pursuant to Federal Rule of Civil Procedure 15(a)(3), Defendants would have
 12 14 days thereafter to respond to the amended complaint;

13 WHEREAS, the Court entered a similar order granting in part and denying in part a motion
 14 to dismiss in the coordinated indirect purchaser class action (the "IPP Action") bearing the case
 15 number 5:20-cv-03639-EJD (IPP Action ECF No. 177);

16 WHEREAS, on June 7, 2021, Defendants and Indirect Purchaser Plaintiffs filed a
 17 stipulation in the IPP Action (the "IPP Action Stipulation"), which sought to extend the deadlines
 18 in the IPP Action to file an amended complaint and any responsive pleading thereto to July 27,
 19 2021 and August 17, 2021, respectively (IPP Action ECF No. 180);

20 WHEREAS, on June 8, 2021, the Court approved the IPP Action Stipulation (IPP Action
 21 ECF No. 181);

22 WHEREAS, Plaintiff has requested, and Defendants have agreed in the spirit of continued
 23 coordination and professional courtesy to, a similar extension of the relevant deadlines to file an
 24 amended complaint and any responsive pleading thereto;

25 WHEREAS, the parties have not previously sought any other modification of the deadlines
 26 to file an amended complaint and any responsive pleading thereto;

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1 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED:

2 1. Plaintiff's deadline to file its amended complaint shall be extended to July 27, 2021.

3 2. Defendants' deadline to answer or otherwise respond to any amended complaint

4 shall be extended to August 17, 2021.

5 3. By stipulating hereto, no Defendant waives any substantive or procedural claim,
6 defense, position, or argument, including but not limited to the defense that they are not and should
7 not be parties to this litigation.

8
9 Dated: June 9, 2021

Respectfully Submitted,

10 BRAUNHAGEY & BORDEN LLP

11 By: /s/Matthew Borden
12 Matthew Borden

13 Attorneys for Putative Representative Plaintiff
14 Radio City, Inc.

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16 Dated: June 9, 2021

EISNER, LLP

17 By: /s/Christopher Frost
18 Christopher Frost

19 Attorneys for Defendants Celestron
20 Acquisition, LLC, Suzhou Synta Optical
21 Technology Co., Ltd., Synta Canada Int'l
22 Enterprises Ltd., SW Technology Corp.,
23 Olivon Manufacturing Co. Ltd., Olivon USA,
24 LLC, Nantong Schmidt Opto-Electrical
Technology Co. Ltd., Pacific Telescope Corp.,
Corey Lee, David Shen, Sylvia Shen, Jack
Chen, Jean Shen, Joseph Lupica, Dave
Anderson, and Laurence Huen

ATTESTATION OF FILER

In compliance with Civil Local Rule 5-1(i), the undersigned ECF user whose identification and credentials are being used to file this document hereby attests that all signatories have concurred and agreed to the filing of this document.

By: /s/*Matthew Borden*
Matthew Borden

[PROPOSED] ORDER

Pursuant to the Stipulation Regarding Amended Complaint, IT IS SO ORDERED.

Dated: _____, 2021

Hon. Edward J. Davila
United States District Judge